

OPINION 2255 (Case 3420)***Buettneria* Case, 1922 (Amphibia): generic name not conserved**

Abstract. The Commission has ruled that the application for the proposed conservation of the name of the Triassic amphibian genus *Buettneria* Case, 1922 by suppression of the names *Buettneria* Karsch, 1889, for a genus of extant orthopteran insects, and *Buettneria* Simroth, 1888, for a genus of African land snails, is not approved.

Keywords. Nomenclature; taxonomy; Amphibia; Orthoptera; Mollusca; *Buettneria*; *Koskinonodon*; *Buettneria perfecta*; West Africa; west Texas; Triassic; fossil; cricket; gastropod.

Ruling

- (1) It is hereby ruled that the application for the proposed conservation of the generic name *Buettneria* Case, 1922 is not approved.
- (2) No names are placed on the Official Lists or Indexes in this ruling.

History of Case 3420

An application to conserve the name of the Triassic amphibian genus *Buettneria* Case, 1922, by suppression of *Buettneria* Karsch, 1889, an extant orthopteran insect, was received from S.G. Lucas, L.F. Rinehart, J.A. Spielmann and A.P. Hunt (*New Mexico Museum of Natural History, Albuquerque, NM, U.S.A.*) on 15 November 2007. After correspondence the case was published in BZN **64**: 252–254 (December 2007). The title, abstract and keywords of the case were published on the Commission's website. Comments (supporting and opposing) were published in BZN **65**(1): 60–62, **65**(3): 217–219 (with an additional set of proposals, p. 218), **65**(4): 310–314, **66**(1): 76–78. The additional set of proposals addressed the senior homonym *Buettneria* Simroth, 1888.

Decision of the Commission

On 2 March 2010 the members of the Commission were invited to vote on the proposals published in BZN **64**: 253 and BZN **65**: 218. At the close of the voting period on 2 June 2010 the votes were as follows:

Affirmative votes – 7: Grygier, Halliday, Ng, Papp, Winston, Yanega and Zhou.

Negative votes – 19: Alonso-Zarazaga, Ballerio, Bogutskaya, Bouchet, Brothers, Fautin, Harvey, Kojima, Kottelat, Krell, Kullander, Lamas, Lim, Minelli, Pape, Patterson, Rosenberg, Štys and van Tol.

Pyle and Zhang were on leave of absence.

Grygier said he voted FOR mainly on account of the demonstrated wide use of the name *Buettneria* for the fossil amphibian and the potential threat to stability and universality posed by its senior homonyms (whereby, despite certain subsequent Comments, the authors had properly brought this matter to the attention of the

Commission under Article 23.9.3). He also felt that the proposal by Mueller (2007) to employ *Koskinonodon* as a 'replacement name' (actually a substitute name) was not formulated as well as it might have been. Under Article 23.3.5, the name chosen to replace a junior homonym must be the next oldest available and not otherwise invalid name from among its synonyms, if any. *Koskinonodon* is such a junior subjective synonym, but Mueller chose it over the simultaneously published additional synonym *Borborophagus* on grounds of page priority and the better condition of the material of the type species of the former genus. Neither of these is a valid criterion of priority, but Mueller's act could be interpreted as that of a first reviser. It is not clear, however, whether he was truly the first to confront this choice, or whether some earlier reviser among the many authors treating these genera had perhaps already assigned priority the same way or the opposite. Making *Buettneria* available for this amphibian is preferable to enforcing a change when *Koskinonodon* is only presumed, and not fully demonstrated, to be the proper substitute name. Ng also voted FOR, but qualified this by saying it would have been cleaner if one of the recent revisers had applied Article 23.9.1 to conserve the junior name. As things were now, he was in support of keeping the more recent name as it has wider usage.

Harvey, voting AGAINST, said his reasons for opposing this application rested on two issues: (1) Article 29.3.1.1 had not been met, despite meaningless uses of the term 'virtual nomen oblitum' and (2) he did not see a solution to deal with BUETTNERIINI Schileyko, 2002, which would need to be replaced if the proposal were accepted. Voting AGAINST, Kojima said this case was rather poorly prepared. For example, in the original proposal *Buettneria* Simroth, 1888 was not referred to even though the name is in the *Nomenclator Zoologicus*. As Hausdorf commented, *Buettneria* Case, 1922, could be replaced by *Koskinonodon* Branson & Mehl, 1929, as proposed by Mueller (2007) without threatening the stability or universality of nomenclature. Kojima also noted, as evidence of a nomenclatural change making its way into popular sources, that Wikipedia used *Koskinonodon* with the note 'formerly *Buettneria*'. Krell, voting AGAINST, said that there was no such concept as a 'virtual nomen oblitum'. The names considered by the authors of this Case to be 'virtual nomina oblita' were just much less frequently used, due to less attention gained by the taxon in question. He agreed with the sentiments of Bouchet (BZN 66: 77–78) that declaring names 'virtual nomina oblita' just because the taxon in question was treated in the literature at a rather normal frequency for invertebrate taxa, which was much lower than that for higher-profile fossils, was inappropriate. Excluding Kirby (1906) and Griffini (1908) from determining usage for *Buettneria* Karsch according to Article 23.9.6 flawed. Griffini (1908, p. 80) described *Buettneria maculiceps* for the first time in a detailed way, including measurements and locality. Kirby (1906) was a standard reference at the time, containing exact references, synonymy and distribution data. Neither of these references qualified for the exclusions mentioned in Article 23.9.6. Štys, voting AGAINST, said it is surprising how a seemingly simple proposal (and its modification) solicited so many relevant and irrelevant arguments pro and contra. His stance was in full concurrence with those arguing against suppression of the two older homonyms, *Buettneria* Simroth, 1888 (Mollusca) and *Buettneria* Karsch, 1889 (Insecta) in favour of the most junior homonym *Buettneria* Case, 1922, namely with Hausdorf (BZN 65: 61–52), Mueller (BZN 65: 217), Milner (BZN 66: 76–77) and Bouchet (BZN 66: 77–78) who aptly explained the universality

of bias in citation rate of names of vertebrate and invertebrate genera involved. Štys said he too had been unfavourably impressed by unmistakable symptoms of 'vertebrate superiority' involved in arguing, by usage of an *ad hoc* newly coined, unexplained, meaningless and misleading term 'virtual nomen oblitum, as well as by derogatory usage of the phrase 'obscure name' for names rarely cited (see Bouchet, BZN 66: 77–78).

No names are placed on the Official Lists or Indexes.